

see act

(13)
10/24/01
SC

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD ACKERMAN,	:	
	:	
Petitioner	:	
	:	CIVIL NO. 1:CV-01-1048
v.	:	
	:	(Judge Caldwell)
JOHN MCCULLOUGH,	:	
	:	
Respondent	:	

FILED
HARRISBURG, PA

OCT 23 2001

O R D E R

MARY E. DIANDREA, CLERK
PER gts DEPUTY CLERK

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

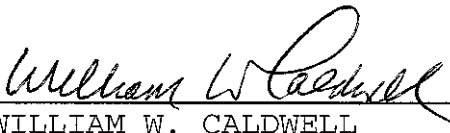
On August 23, 2001, this Court issued respondent an Order to Show Cause requesting a response to Ackerman's petition for writ of habeas corpus. The order directed respondent, inter alia, to answer the allegations of the petition and to file a memorandum of law with the answer. It further directed that the memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law. (See Doc. 5, Order). After being granted an enlargement of time to respond to the petition, respondents filed a document styled "Commonwealth's Answer to Defendant's Habeas Corpus Petition/Commonwealth's Motion to Dismiss Petition". It was not accompanied by a supporting memorandum of law.

Therefore, it is Ordered that respondent file a memorandum of law supplementing its answer/motion in response to the petition for

writ of habeas corpus. It is further ordered that Petitioner may file a reply brief within fifteen days of receipt of the Respondents' supplemental filings.

Therefore, it is ordered that:

1. Within ten days of the date of this Order, the Commonwealth shall file a memorandum of law in support of its answer/motion to dismiss the petition (Doc. 11).
2. The Petitioner, if he desires, shall file a reply to the supplemental response within fifteen days of the date of its filing.


WILLIAM W. CALDWELL
United States District Judge

Date: October 23, 2001

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

October 23, 2001

Re: 1:01-cv-01048 Ackerman v. McCullough

True and correct copies of the attached were mailed by the clerk
to the following:

Edward Ackerman
SCI-HOUTZDALE
CW-5843
P.O.Box 1000
Houtzdale, PA 16698-1000

Karen Byrnes-Noon, Esq.
Schuylkill County Courthouse
401 North Second Street
Pottsville, PA 17901

Francis R Filipi
Deputy Atty General
Office Of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120

Claude Shields
Schuylkill County Court
401 N. 2nd Street
Pottsville, PA 17901

cc:		
Judge	()	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by:

Standard Order 93-5 () U.S. Marshal () Pltf's Attorney ()
Order to Show Cause () with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()
Bankruptcy Court ()
Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: 10/23/01

BY: JF8
Deputy Clerk